

**STAFF REPORT
DEVELOPMENT COMMISSION
ZONING MEETING
CITY OF COLUMBUS, OHIO
JANUARY 10, 2013**

- 4. APPLICATION:** **Z12-063 (ACCELA # 12335-00000-00667)**
Location: **700 CHILDRENS DRIVE (43205)**, being 54.0± acres located west of Parsons Avenue and north of Kennedy Drive and generally extending from the southeast corner of Parsons Avenue and Mooberry Street, east to the southwest corner of Mooberry Street and the first alley east of and parallel with Eighteenth Street, south to the northwest corner of the first alley east of and parallel with Eighteenth Street and Livingston Avenue, south to the southeast corner of Livingston Avenue and Heyl Avenue, west to the southeast corner of Jackson Street and Putnam Street, west to the southwest corner of Jackson Street and Parsons Avenue, and north to the northwest corner of Parsons Avenue and Denton Alley, north and west to the southwest corner of Livingston and Parsons Avenues, north to the northwest corner of Parsons Avenue and Mooberry Street (excluding all of Livingston Park). (010-005613)
Existing Zoning: C-4, Commercial and CPD, Commercial Planned Development Districts.
Request: CPD, Commercial Planned Development District.
Proposed Use: Adding .64 acres at the southwest corner of Livingston and Heyl Avenues to the CPD.
Applicant(s): Nationwide Children's Hospital; c/o Jill Tangeman, Atty.; 52 East Gay Street, P.O. Box 1008; Columbus, Ohio 43216.
Property Owner(s): The applicant.
Case Planner: Dana Hitt, 645-2395, dahitt@columbus.gov

BACKGROUND:

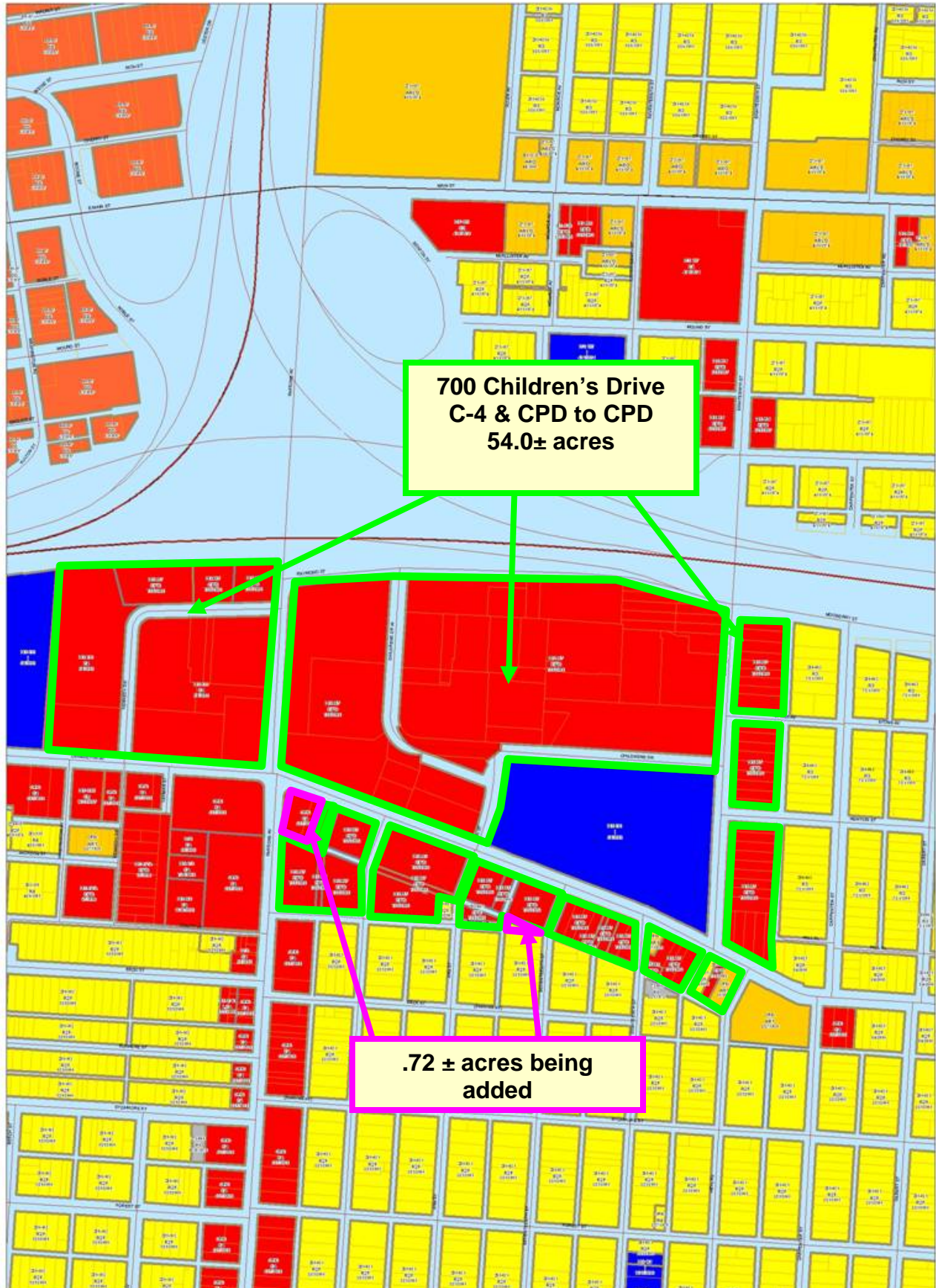
- The applicants are adding 0.64 acres at the corner of Livingston and Parsons Avenues to the existing Commercial Planned Development District that currently comprises 53.28± acres. That site being added was the site of a now demolished fast food restaurant. The applicants are also adding 0.082 acres near the intersection of 17th and Jackson Street.
- To the north across Livingston Avenue from the 0.64 acre site is a hospital in the CPD, Commercial Planned Development District. To the south and east are a parking garage zoned in the CPD Commercial Planned Development District. To the west across Parsons Avenue is retail development in the C-4, Commercial District. To the north of the 0.082 portion of the site is the Ronald McDonald House, zoned in the CPD, Commercial Planned Development District. To the

south of the 0.082 portion of the site are single-unit dwellings zoned in the R-2F, Residential District. To the east and west of the 0.082 portion of the site are parking lots zoned in the CPD, Commercial Planned Development District.

- No changes of substance are being made to the text.
- The site falls within the boundaries of the *Near Southside Plan* (2011), which recommends community mixed use for this site which includes: retail, office, or institutional uses in combination with residential uses.
- The *Columbus Thoroughfare Plan* identifies East Livingston and Parsons Avenues as 4-2D and 4-2 arterials requiring a minimum of 60 and 50 feet of right-of-way from centerline respectively.

CITY DEPARTMENTS' RECOMMENDATION: Approval.

The proposed modification to the CPD Plan and Text would allow for orderly expansion of the hospital and associated facilities, is consistent with the development and zoning patterns of the area and proposes no changes of substance to the CPD plan and text. The proposal is consistent with the *Near Southside Plan* (2011).



**700 Children's Drive
C-4 & CPD to CPD
54.0± acres**

**.72 ± acres being
added**



COMMERCIAL PLANNED DEVELOPMENT TEXT

PROPOSED DISTRICT: Commercial Planned Development District

PROPERTY ADDRESS: 700 Children's Drive, Columbus, Ohio 43205

OWNERS: Nationwide Children's Hospital (fka The Children's Hospital), Nationwide Children's Hospital Foundation (fka The Children's Hospital Foundation), Research Institute at Nationwide Children's Hospital (fka Children's Research Institute and Children's Hospital Research Foundation), Childhood League, Inc., CHACC Office Condo Partnership, Mary C. Hart, KT Partners, PEDO-URO Realty Ltd, and Children's Orthopedic Medical Center, L.L.C.

APPLICANT: Nationwide Children's Hospital

| DATE OF TEXT: November 5, 2012 ~~May 18, 2011~~

APPLICATION NUMBER:

I. **INTRODUCTION:** The property consists of four subareas which, together, contain a total of approximately ~~53.28~~ 54.00 acres (the "Subject Property"). Subarea A consists of approximately 27.228 acres within the area bounded by Livingston Avenue, Parsons Avenue, Mooberry Street, South Eighteenth Street and Livingston Park. Subarea B consists of approximately 13.130 acres within the area bounded by Parsons Avenue, Livingston Avenue, Africentric High School and I-70. Subarea C consists of approximately ~~8.47-752~~ acres contained in various parcels located south of Livingston Avenue between Heyl Avenue and Parsons Avenue. Subarea D consists of a total of approximately 4.591 acres contained in various parcels located within the area bounded by Livingston Avenue, South Eighteenth Street, Mooberry Street and the north-south alley between South Eighteenth Street and Carpenter Street. The site plan entitled "NCH CAMPUS ZONING," signed by Jill S. Tangeman and dated November 5, 2012 ~~May 18, 2011~~, is incorporated into this zoning for the purposes of schematically showing the Subareas, the parking and building setbacks and the height districts.

| All of the Subject Property, except approximately ~~.7220-636~~ acres of Subarea C, was rezoned to the Commercial Planned Development District in Case No. ~~Z11-006Z08-037~~ (Ordinance No. 1828-2008). This Application makes only adds .722 ~~.636~~ +/- acres to Subarea C. ~~along Livingston Avenue.~~

All other substantive terms and conditions of the zoning established by Case No. Z11- 006Z08-037 remain unchanged.

The requested zoning classification is consistent with the pending update to the Near Southside Plan.

The subject real property falls within the jurisdiction of the Columbus Southside Area Commission.

II. SECTION 3361.03 (d) REPORT:

A. Natural environment: The Subject Property is essentially flat and contains no wetlands or streams. The only vegetation is street trees and landscaping which have been provided in connection with the existing development of the property. Storm water drainage for all of the property is provided by existing City storm sewers.

B. Existing land uses: The Subject Property is developed with a number of buildings and parking facilities used as Nationwide Children's Hospital, related medical research facilities and related medical offices and facilities. Subarea C also contains older houses which may be removed and redeveloped with uses permitted by this Text. Subarea B is developing with higher density, medium-to-high rise buildings as permitted by this Text. The Subject Property also contains a building used by Childhood League.

C. Transportation and circulation facilities: The Subject Property is located at an exit from I-70, which is located immediately north of the Subject Property across Mooberry Street. Livingston Avenue, an arterial street, runs through the Subject Property in an east-west direction. Parsons Avenue, another arterial street, runs north-south through the Subject Property. Various other local streets and alleys run through or adjacent to the Subject Property. All of the streets have sidewalks. Both Livingston Avenue and Parsons Avenue are on bus lines having bus stops at or near the Subject Property.

D. Visual form of the environment: Subarea A is now developed with a very high density, high rise urban complex, including a hospital, a heliport, a medical research facility, related doctors' offices, a medical education facility, large parking garages and surface parking. It is anticipated that that development pattern will continue in Subarea A and that the surface parking in Subarea A will, over time, be redeveloped with a high density, medium-to-high rise development similar to that now located in Subarea A. Subarea B is developing as

described in II.B above. It is anticipated that Subarea B will be redeveloped with higher density, higher rise facilities related to the hospital and research uses in Subarea A, along with retail commercial uses. Subarea C is developed with surface parking facilities, the Center for Child and Family Advocacy, the Ronald McDonald House, a parking garage, parking lots and a few older houses. Subarea D is developed with surface parking facilities and low rise, low density development of facilities related to the hospital/medical uses located in Subarea A, including the Childhood League facility. It is anticipated that, over time, Subareas C and D will be redeveloped with high density, medium rise facilities related to the hospital/medical uses located in Subarea A and parking.

E. View and visibility: Visibility at intersections is good for the urban environment in which the Subject Property is located and is compatible with the speed limits on the various streets in and surrounding the Subject Property. Visibility at intersections of driveways with public streets does not in all instances currently include, and is not in all instances anticipated to include, the 10 foot clear vision triangle. This Text permits the omission of the clear vision triangle at future driveways onto less traveled streets within or adjacent to the Subject Property, but only with the approval of the Department of Public Service, Division of Planning and Operations.

F. Proposed development: It is anticipated that the Subject Property will be developed and redeveloped with a combination of the following: a hospital and related facilities; facilities for medical- and health-related uses; facilities oriented toward providing uses for the convenience or comfort of the staff and clientele of the foregoing uses; other office uses; and, in Subarea B, retail commercial facilities. Because the Subject Property is in a fully-developed urban location public infrastructure improvements are in place although some street and utility improvements will be needed in connection with the full development and redevelopment of the Subject Property. Many street and utility improvements have been made, and others are planned.

G. Behavior patterns: The principal use of the Subject Property is a hospital and related support uses. The Subject Property also includes a medical research facility, a medical office building, an outpatient surgery center and a medical education facility. The hospital operates 24-hours a day seven days a week, although the more intensive activity is during the daytime. The other activities operate primarily during normal

business hours. Approximately 85% of the staff utilizes private vehicles for transportation to and from the Subject Property, while approximately 15% utilize public transportation. Most of the patients utilize private vehicles for transportation to and from the Subject Property, and it is assumed that some small percentage utilize public transportation.

H. Emissions: Light emitted from the Subject Property is currently and will be directed down by virtue of cut-off (downlighting) fixtures, except that some pedestrian lighting, accent lighting and lighting for signs is not cut-off lighting. It is anticipated that the types and levels of light emissions from Subarea A will continue to be similar to the current light emissions existing in Subarea A. The types and levels of light emissions in Subarea B will be consistent with the light emissions existing in Subarea A. It is anticipated that, over time, the types and levels of light emissions in Subarea C and D will be consistent with the uses of high density, medium rise facilities related to the medical/hospital uses located in Subarea A. The principal sound emissions will be: the sound of motor vehicles being operated by both employees and visitors to the Subject Property; the sound of HVAC equipment; and the intermittent sounds of emergency helicopters and emergency vehicles. Types and levels of sound emissions from the Subject Property are anticipated to continue to be consistent with the current sound emissions existing on the Subject Property. There currently is, and it is anticipated that there will be, negligible dust (except such dust as is typically generated by demolition and construction projects in which all dust control measures required by law are employed) and odor emissions from the Subject Property.

III. PERMITTED USES:

A. All uses permitted by Columbus City Codes Sections 3349.03, 3353.03, hotels, parking lots and garages and all other uses listed in the Columbus City Codes as being permitted in the I or C-2 zoning district.

B. To the extent not otherwise permitted in III.A above, all uses permitted by Columbus City Codes Sections 3351.03, 3355.03 and 3356.03 and all other uses listed in the Columbus City Codes as being permitted in the C-1, C-3 or C-4 zoning district, subject to the following:

1. The uses otherwise permitted in this sentence shall not be permitted in Subarea D;

2. A "Ronald McDonald House" or similar facility for housing families of hospital patients shall be permitted in Subarea C; and

3. Each use permitted by this sentence must be a medical- or health-related use or a use oriented primarily toward providing for the convenience or comfort of the staff or clientele of the uses permitted by III.A above, except that the limitation in this item 3 shall not apply to Subarea B.

C. Uses listed in the Columbus City Codes as special or conditional uses in I, C-1, C-2, C-3 or C-4 zoning district are special or conditional uses for the Subject Property, except the special or conditional uses in C-1, C-3 and C-4 zoning district are not special or conditional uses for Subarea D.

D. Each use which is accessory to a principle use, building or structure may be located off of the parcel(s) on which such principle use, building or structure is located.

E. Billboards are prohibited.

IV. DEVELOPMENT STANDARDS:

A. Development Standards for Subarea A.

1. Density, Height, Lot and/or Setback commitments.

a. The height district shall be two hundred (200) foot height district, and the height of each part of each building may be increased above two hundred (200) feet by the distance in feet from that part to the public Street right of way line closest to that part.

b. The building setback shall be zero (0) feet along Mooberry Street, South Eighteenth Street and Parsons Avenue and ten (10) feet along Livingston Avenue.

c. The parking and maneuvering setback shall be zero (0) feet along Mooberry Street and South Eighteenth Street, ten (10) feet along Livingston Avenue and three (3) feet along Parsons Avenue.

d. No setbacks from side or rear lot lines shall be required, and buildings and other structures shall be permitted to cross parcel boundaries, except that buildings shall be set back a minimum of fifty-five (55) feet from Livingston Park.

2. Access, Loading, Parking and/or other Traffic related commitments.

a. All existing curb cuts being used for vehicular access to any part of the Subject Property on the date of this Text shall be permitted to remain, except that, promptly after the use of any such curb cut for such access is hereafter abandoned, that curb cut shall be removed. All new curb cuts shall be designed to the specifications of the Department of Public Service, Division of Planning and OperationsDepartment of Public Service, Division of Planning and Operations.

b. The required number of loading spaces for each type of use shall be determined by aggregating all of the uses of that type located on the Subject Property.

c. The required number of loading spaces for any use may be located off of the parcel(s) on which that use is located so long as such loading spaces are located on the Subject Property.

d. Maneuvering for loading spaces shall be permitted in the right-of-way of Mooberry Street.

e. Subject to the approval of the Department of Public Service, Division of Planning and Operations, which may be conditioned on providing alternative means of vision, the clear vision triangles provided for in Section 3321.05, Columbus City Codes, are eliminated.

f. The required minimum size of up to thirty percent (30%) of the required off-street parking spaces shall be eight (8) feet by sixteen (16) feet.

g. Subject to the approval of the Department of Public Service, Division of Planning and OperationsDepartment of Public Service, Division of Planning and Operations, the required widths of drive aisles in parking structures may be reduced to widths less than those provided for in Section 3312.13 , Columbus City Codes.

h. The number of off-street parking spaces required for each use referred to in IV.E below will be determined in accordance with IV.E below. The determination of parking spaces available to satisfy off-street parking requirements is subject to the provisions of IV.E below.

i. Subject to the approval of the Department of Public ServicePublic Service, Division of Planning and Operations, the

required minimum width of one way driveways shall be ten (10) feet.

j. Any (i) parking space, (ii) loading space, (iii) aisle providing access to or maneuvering for any parking space, loading space or dumpster and (iv) other access to or maneuvering for any parking space, loading space or dumpster may be located on two or more parcels (that is, part on one parcel and part on one or more other parcels) within the Subject Property. Access to and maneuvering for any parking space, loading space or dumpster, including any aisle providing such access or maneuvering, may be located on one or more parcels within the Subject Property which are not the parcel(s) on which that parking space, loading space or dumpster is located. The intent of this item j is to permit all of the parcels constituting the Subject Property be treated as a single parcel for the purpose of arranging parking spaces, loading spaces and access to and maneuvering for parking spaces, loading spaces and dumpsters.

3. Buffering, Landscaping, Open Space and/or Screening commitments.

a. No internal parking lot landscaping shall be required.

b. Each loading space shall be screened only if it is located within two hundred (200) feet of a Street (each public right-of-way 35 feet or more in width) and is not substantially screened from that Street by buildings, landscape materials or a change in grade. If such screening is required for a loading space, then it shall be provided to a minimum of seven (7) feet in height and shall be designed to interrupt vision into such loading space from each Street located within two hundred (200) feet of that loading space.

4. Building design and/or Interior-Exterior treatment commitments. N/A

5. Dumpsters, Lighting, Outdoor display areas and/or other environmental commitments.

a. Light poles shall be no higher than forty (40) feet.

b. Each dumpster shall be screened only if it is located within 200 feet of a Street and is not substantially screened from that Street by buildings, landscape materials or a change in grade.

6. Graphics and Signage commitments.

a. All graphics and signage shall comply with the Graphics Code, Article 15, Title 33 of the Columbus City Code and any variance to those requirements will be submitted to the Columbus Graphics Commission for consideration.

7. Variances. The foregoing development standards for Subarea A effect the following variances; provided, however, that the foregoing development standards shall control over the listing of variances below, and the failure to describe below any variances effected by the foregoing development standards shall not invalidate those standards:

a. Variance from Section 3361.04A to reduce the minimum front, side and rear yard requirements from twenty-five (25) feet to zero (0) feet, except that the variance for above-ground buildings shall be from twenty-five (25) feet to ten (10) feet along Livingston Avenue.

b. Variance from Section 3312.47 and 3312.49 to permit the calculation of the number of required loading spaces to be based on the total number of square feet of space on the Subject Property used for each type of use.

c. Variance from Section 3312.51 to permit the required number of loading spaces for any use to be located off of the parcel(s) on which that use is located.

d. Variance from Section 3312.15 to permit maneuvering for loading spaces in the right-of-way of Mooberry Street.

e. Variance from Section 3321.05 to eliminate all required clear vision triangles, subject to the approval of the Department of Public ServicePublic Service, Division of Planning and Operations.

f. Variance from Section 3312.29 to reduce the required minimum size of up to thirty percent (30%) of the required off-street parking spaces from nine (9) feet by eighteen (18) feet to eight (8) feet by sixteen (16) feet.

g. Variance from Section 3312.13 to reduce the required widths of drive aisles in parking structures to widths less than those provided in Section 3312.13 , subject to the approval of the Department of Public ServicePublic Service, Division of Planning and Operations.

h. Variance from Section 3312.47 and 3312.49 to permit the required number of off-street parking spaces to be the number determined in accordance with IV.E below and to permit the required off-street parking for each use to be located off of the parcel on which that use is located, subject to the provisions of IV.E.4 below.

i. Variance from Section 3312.13 c to reduce the required minimum width of one way driveways serving a parking lot from twenty (20) feet to ten (10) feet.

j. Variance from Sections 3312.03, 3312.09, 3312.51 and 3321.01 to permit any (i) parking space, (ii) loading space, (iii) aisle providing access to or maneuvering for any parking space, loading space or dumpster and (iv) other access to or maneuvering for any parking space, loading space or dumpster to be located on two or more parcels and to permit access to and maneuvering for each parking space, loading space or dumpster to be located on one or more parcels which are not the parcel(s) on which that parking space, loading space or dumpster is located.

k. Variance from Section 3312.21 to eliminate the requirement for any interior parking lot landscaping.

l. Variance from Section 3321.01 to eliminate the requirement that a dumpster be screened from view on all sides for each dumpster which is located more than two hundred (200) feet from a Street and for each other dumpster that is substantially screened from all Streets by buildings, landscape materials or a change in grade.

B. Development Standards for Subarea B.

1. Density, Height, Lot and/or Setback commitments.

a. The height district shall be two hundred (200) foot height district, subject to the limitation that, except as provided in the next-following sentence, the maximum heights for all buildings shall be one hundred fifty (150) feet. The height of each part of each building may be increased above one hundred fifty (150) feet by the distance in feet from that part to the public Street right of way line closest to that part.

b. The building setback shall be zero (0) feet along all Streets, except Livingston Avenue along which the building setback shall be ten (10) feet.

c. The parking and maneuvering setback shall be zero (0) feet along all Streets except Parsons Avenue and Livingston Avenue. The parking and maneuvering setback along Parsons Avenue shall be three (3) feet, and the parking and maneuvering setback along Livingston Avenue shall be ten (10) feet, provided that parking and maneuvering within parking garages may be located at the building setback.

d. No setbacks from side or rear lot lines shall be required, and buildings and other structures shall be permitted to cross parcel boundaries.

2. Access, Loading, Parking and/or other Traffic related commitments.

a. All new curb cuts shall be designed to the specifications of the Department of Public ServicePublic Service, Division of Planning and Operations.

b. The required number of loading spaces for each type of use shall be determined by aggregating all of the uses of that type located on the Subject Property.

c. The required number of loading spaces for any use may be located off of the parcel(s) on which that use is located so long as such loading spaces are located on the Subject Property.

d. The text of this item is omitted, but the item letter is maintained to preserve cross-reference continuity.

e. The required minimum size of up to thirty percent (30%) of the required off-street parking spaces shall be eight (8) feet by sixteen (16) feet.

f. Subject to the approval of the Department of Public Service, Division of Planning and Operations, the required widths of drive aisles in parking structures may be reduced to widths less than those provided for in Section3321.05 , Columbus City Codes.

g. The number of off-street parking spaces required for each use referred to in IV.E below will be determined in accordance with IV.E below. The determination of parking spaces available to satisfy off-street parking requirements is subject to the provisions of IV.E below.

h. Subject to the approval of the Department of Public Service, Division of Planning and Operations, the required minimum width of one way driveways shall be ten (10) feet.

i. Any (i) parking space, (ii) loading space, (iii) aisle providing access to or maneuvering for any parking space, loading space or dumpster and (iv) other access to or maneuvering for any parking space, loading space or dumpster may be located on two or more parcels (that is, part on one parcel and part on one or more other parcels) within the Subject Property. Access to and maneuvering for any parking space, loading space or dumpster, including any aisle providing such access or maneuvering, may be located on one or more parcels within the Subject Property which are not the parcel(s) on which that parking space, loading space or dumpster is located. The intent of this item i is to permit all of the parcels constituting the Subject Property be treated as a single parcel for the purpose of arranging parking spaces, loading spaces and access to and maneuvering for parking spaces, loading spaces and dumpsters.

j. No parking structure designed to provide parking for uses on any part of the Subject Property east of Parsons Avenue will be located west of Parsons Avenue unless a pedestrian crosswalk, controlled intersection or other improvement for the passage of pedestrians across Parsons Avenue is approved by the Department of Public Service, Division of Planning and Operations and installed.

3. Buffering, Landscaping, Open Space and/or Screening commitments.

a. No internal parking lot landscaping shall be required.

b. Each loading space shall be screened only if it is located within two hundred (200) feet of a Street and is not substantially screened from that Street by buildings, landscape materials or a change in grade. If such screening is required for a loading space, then it shall be provided to a minimum of seven (7) feet in height and shall be designed to interrupt vision into such loading space from each Street located within two hundred (200) feet of that loading space.

4. Building design and/or Interior-Exterior treatment commitments. N/A

5. Dumpsters, Lighting, Outdoor display areas and/or other environmental commitments.

- a. Light poles shall be no higher than forty (40) feet.
 - b. Each dumpster shall be screened only if it is located within 200 feet of a Street and is not substantially screened from that Street by buildings, landscape materials or a change in grade.
6. Graphics and Signage commitments.
- a. All graphics and signage shall comply with the Graphics Code, Article 15, Title 33 of the Columbus City Code and any variance to those requirements will be submitted to the Columbus Graphics Commission for consideration.
7. Variances. The foregoing development standards for Subarea B effect the following variances; provided, however, that the foregoing development standards shall control over the listing of variances below, and the failure to describe below any variances effected by the foregoing development standards shall not invalidate those standards:
- a. Variance from Section 3361.04A to reduce the minimum front, side and rear yard requirements from twenty-five (25) feet to zero (0) feet along all Streets except as follows: (i) any yard parallel and adjacent to Livingston Avenue shall be reduced from twenty-five (25) feet to ten (10) feet; and (ii) all surface parking and maneuvering areas shall be set back a minimum of three (3) feet from Parsons Avenue.
 - b. Variance from Section 3312.47 and 3312.49 to permit the calculation of the number of required loading spaces to be based on the total number of square feet of space on the Subject Property used for each type of use.
 - c. Variance from Section 3312.51 to permit the required number of loading spaces for any use to be located off of the parcel(s) on which that use is located.
 - d. The text of this item is omitted, but the item letter is maintained to preserve cross-reference continuity.
 - e. Variance from Section 3312.29 to reduce the required minimum size of up to thirty percent (30%) of the required off-street parking spaces from nine (9) feet by eighteen (18) feet to eight (8) feet by sixteen (16) feet.

f. Variance from Section 3312.13 to reduce the required widths of drive aisles in parking structures to widths less than those provided in Section 3312.13 , subject to the approval of the Department of Public Service, Division of Planning and Operations.

g. Variance from Section 3312.47 and 3312.49 to permit the required number of off-street parking spaces to be the number determined in accordance with IV.E below and to permit the required off-street parking for each use to be located off of the parcel on which that use is located, subject to the provisions of IV.E.4 below.

h. Variance from Section 3312.13 to reduce the required minimum width of one way driveways serving a parking lot from twenty (20) feet to ten (10) feet.

i. Variance from Sections 3312.03, 3312.09, 3312.51 and 3321.01 to permit any (i) parking space, (ii) loading space, (iii) aisle providing access to or maneuvering for any parking space, loading space or dumpster and (iv) other access to or maneuvering for any parking space, loading space or dumpster to be located on two or more parcels and to permit access to and maneuvering for each parking space, loading space or dumpster to be located on one or more parcels which are not the parcel(s) on which that parking space, loading space or dumpster is located.

j. Variance from Section 3312.21 to eliminate the requirement for any interior parking lot landscaping.

1. Variance from Section 3321.01 to eliminate the requirement that a dumpster be screened from view on all sides for each dumpster which is located more than two hundred (200) feet from a Street and for each other dumpster that is substantially screened from all Streets by buildings, landscape materials or a change in grade.

C. Development Standards for Subarea C.

1. Density, Height, Lot and/or Setback commitments.

a. Building height

i. The height district for that portion of Subarea C located east of Wager Street shall be the sixty (60) foot height district, except for Subarea C-23, in which all buildings shall be limited to forty five (45) feet.

ii. The height district for that portion of Subarea C located west of Wager Street shall be the one hundred ten (110) foot height district, subject to the limitations that (y) for all buildings in that portion of Subarea C except parking garages, the maximum height (measured as provided in Section 3303.08) shall be sixty-eight (68) feet, and (z) for parking garages in that portion of Subarea C, the maximum height (measured to the top of any wall or screening structure for the exposed top deck) shall be sixty-eight (68) feet, except as follows:

aa. The height to the top of the roof of stairwell enclosures for a parking garage may be seventy-eight (78) feet;

bb. In the fifty-five (55) feet immediately south of the right of way line of Livingston Avenue, the height to the top of the roof of any enclosed area for a parking garage may be one hundred (100) feet, and architectural ornamentation may extend up to a maximum height of one hundred ten (110) feet;

cc. The height of each part of each parking garage may be increased above sixty-eight (68) feet by the distance in feet from that part to the maximum building setback from the public Street right of way line closest to that part;

dd. Along the Denton Alley and Lisle Alley facades of each parking structure, architectural ornamentation may extend up to a height of eighty-two (82) feet; and

ee. The maximum height for any part of a building in Rezoning Area C-20 shall be eighty-two (82) feet.

b. From Parsons Avenue, the minimum building, parking and maneuvering setbacks shall be zero (0) feet and the maximum building, parking and maneuvering setbacks shall be fifteen (15) feet, except that within thirty-five (35) feet of Jackson Street the maximum building, parking and maneuvering setbacks shall be thirty (30) feet.

c. From that part of Jackson Street which is west of Wager Street, the minimum building, parking and maneuvering setback shall be ten (10) feet and the maximum building, parking and maneuvering setback shall be fifteen (15) feet, except that within thirty (30) feet of Parsons Avenue the maximum building, parking and maneuvering setback shall be thirty-five (35) feet.

d. From the west side of Wager Street, the minimum building, parking and maneuvering setback shall be zero (0) feet and the

maximum building, parking and maneuvering setback shall be sixteen (16) feet.

e. From that part of the Livingston Avenue which is west of Wager Street, the minimum building, parking and maneuvering setback shall be twenty-five (25) feet and the maximum building, parking and maneuvering setback shall be thirty-five (35) feet, and those setbacks shall be measured from the Livingston Avenue right of way line existing on the date of this Text.

f. From all Streets and parts of Streets, other than Livingston Avenue west of Wager Street, Parsons Avenue, Jackson Street west of Wager Street and the west side of Wager Street, the minimum building setback shall be ten (10) feet.

g. The parking and maneuvering setback shall be ten (10) feet along Livingston Avenue east of Wager Street and three (3) feet along all Streets and parts of Streets other than Livingston Avenue, Parsons Avenue, Jackson Street west of Wager Street and the west side of Wager Street, provided that parking and maneuvering within parking garages may be located at the building setback.

h. No setbacks from side or rear lot lines shall be required, and buildings and other structures shall be permitted to cross parcel boundaries. No setbacks along Denton Alley east of Eighteenth Street shall be required.

2. Access, Loading, Parking and/or other Traffic related commitments.

a. All existing curb cuts being used for vehicular access to any part of the Subject Property on the date of this Text shall be permitted to remain, except that, promptly after the use of any such curb cut for such access is hereafter abandoned, that curb cut shall be removed. All new curb cuts shall be designed to the specifications of the Department of Public Service, Division of Planning and Operations.

b. The required number of loading spaces for each type of use shall be determined by aggregating all of the uses of that type located on the Subject Property.

c. The required number of loading spaces for any use may be located off of the parcel(s) on which that use is located so long as such loading spaces are located on the Subject Property.

d. Maneuvering for loading spaces shall be permitted in South Seventeenth Street, 18th Street and Heyl Avenue.

e. Subject to the approval of the Department of Public Service, Division of Planning and Operations, which may be conditioned on providing alternative means of vision, the clear vision triangles provided for in Section 3321.05 , Columbus City Codes, are eliminated.

f. The required minimum size of up to thirty percent (30%) of the required off-street parking spaces shall be eight (8) feet by sixteen (16) feet.

g. Subject to the approval of the Department of Public Service, Division of Planning and Operations, the required widths of drive aisles in parking structures may be reduced to widths less than those provided for in Section 3312.13 , Columbus City Codes.

h. The number of off-street parking spaces required for each use referred to in IV.E below will be determined in accordance with IV.E below. The determination of parking spaces available to satisfy off-street parking requirements is subject to the provisions of IV.E below.

i. Subject to the approval of the Department of Public Service, Division of Planning and Operations, the required minimum width of one way driveways shall be ten (10) feet.

j. Any (i) parking space, (ii) loading space, (iii) aisle providing access to or maneuvering for any parking space, loading space or dumpster and (iv) other access to or maneuvering for any parking space, loading space or dumpster may be located on two or more parcels (that is, part on one parcel and part on one or more other parcels) within the Subject Property. Access to and maneuvering for any parking space, loading space or dumpster, including any aisle providing such access or maneuvering, may be located on one or more parcels within the Subject Property which are not the parcel(s) on which that parking space, loading space or dumpster is located. The intent of this item j is to permit all of the parcels constituting the Subject Property be treated as a single parcel for the purpose of arranging parking spaces, loading spaces and access to and maneuvering for parking spaces, loading spaces and dumpsters.

3. Buffering, Landscaping, Open Space and/or Screening commitments.

a. Internal parking lot landscaping for each parking lot may be located at the perimeter of that parking lot, except that internal parking lot landscaping for any parking lot located on Rezoning Area C-12 or C-13 of the Subject Property shall be installed as required by Section 3312.21 , Columbus City Codes. No internal parking lot landscaping shall be required for parking located in or on any parking structure.

b. Each loading space shall be screened to a minimum of seven (7) feet in height, with such screening being so designed as to interrupt vision into such loading space from adjacent Streets and adjacent private properties which are not part of the Subject Property.

4. Building design and/or Interior-Exterior treatment commitments. N/A

5. Dumpsters, Lighting, Outdoor display areas and/or other environmental commitments.

a. Light poles shall be no higher than twenty-two (22) feet. For light poles which are ground mounted, that height shall be measured from the surrounding grade. For light poles which are mounted on a parking garage, that height shall be measured from the level of the floor to be lighted by the lights.

6. Graphics and Signage commitments.

a. All graphics and signage shall comply with the Graphics Code, Article 15, Title 33 of the Columbus City Code and any variance to those requirements will be submitted to the Columbus Graphics Commission for consideration.

7. Miscellaneous commitments. The provisions of the Parsons Avenue Urban Commercial Overlay shall apply to the portion of Subarea C located west of Wager Street, except to the extent that conflicting provisions are set forth above in IV.C and except as follows:

a. For any parking garage, no main entrance door shall be required along the Parsons Avenue frontage.

b. Along Parsons Avenue, Jackson Street and Wager Street, except the portion of Wager Street that is within fifty-five (55) feet of Livingston Avenue, that part of a parking garage

which is more than twenty (20) feet above grade shall not be required to comply with Section 3372.611B, and a parking garage shall not be required to comply with Section 3372.611B along Livingston Avenue or that part of Wager Street located within fifty-five (55) feet of Livingston Avenue.

c. For any parking garage, compliance with Sections 3372.611C and D shall not be required.

d. To the extent that a parking garage falls within the definition of parking lot, a parking garage shall not be required to comply with Section 3372.611I, but the parking spaces within the parking garage shall be screened, except at vehicle entrances and exits, from all abutting public Streets (aa) on the first level to the full height of the vehicles by one or a combination of a solid wall or an ornamental metal grill providing at least sixty (60) percent capacity when viewed head-on and (bb) on each other level by one or a combination of the following to a height of not less than forty-two (42) inches above floor level: solid wall; ornamental metal grill providing at least sixty (60) percent capacity when viewed head-on; louvered panel providing sixty (60) percent opacity when viewed head-on; and metal mesh panel providing at least sixty (60) percent opacity when viewed head-on.

8. Variances. The foregoing development standards for Subarea C effect the following variances; provided, however, that the foregoing development standards shall control over the listing of variances below, and the failure to describe below any variances effected by the foregoing development standards shall not invalidate those standards:

a. Variance from Section 3361.04B to increase the height district for that portion of Subarea C located west of Wager Street from thirty-five (35) feet to one hundred ten (110) feet, subject to the height limitations in IV.C.1.a.ii above.

b. Variance from Section 3372.609 to increase the maximum building setback from Parsons Avenue from ten (10) feet to fifteen (15) feet, except within thirty-five (35) feet of Jackson Street where the maximum building setback shall be increased from ten (10) feet to thirty (30) feet, and to reduce the minimum parking and maneuvering setback from Parsons Avenue from five (5) feet to zero (0) feet.

c. Variance from Section 3372.609 to increase the maximum building setback from ten (10) feet to fifteen (15) feet along that part of Jackson Street which is west of Wager Street,

except within thirty (30) feet of Parsons Avenue where the maximum building setback shall be increased from ten (10) feet to thirty-five (35) feet.

d. Variance from Section 3372.609 to increase the maximum building setback from ten (10) feet to sixteen (16) feet along the west side of Wager Street, and to reduce the minimum parking and maneuvering setback from Wager Street from five (5) feet to zero (0) feet.

e. Variance from Section 3372.609 to increase the maximum building setback from ten (10) feet to thirty-five (35) feet along Livingston Avenue west of Wager Street, and to measure all setbacks from Livingston Avenue from the right of way line of Livingston Avenue existing as of the date of this Text.

f. Variance from Section 3361.04A to reduce the minimum front yard requirements from twenty-five (25) feet to ten (10) feet for that part of Subarea C extending east from the east side of Wager Street except as follows: (i) surface parking and maneuvering areas may extend up to seven (7) feet into the required front yards parallel and adjacent to all Streets except Livingston Avenue; and (ii) the minimum requirement for any front yard parallel and adjacent to a public right of way which is not a Street is reduced from twenty-five (25) feet to zero (0) feet.

g. Variance from Section 3361.04A to reduce the minimum side and rear yard requirements from twenty-five (25) feet to zero (0) feet, except that the minimum requirement for any such side or rear yard which is parallel and adjacent to a Street shall only be reduced to the extent provided for front yards in IV.C.8.g above and shall not be reduced in any way which would reduce the minimum setbacks provided for in IV.C.1.b, c, d and e above.

h. Variance from Section 3312.47 and 3312.49 to permit the calculation of the number of required loading spaces to be based on the total number of square feet of space on the Subject Property used for each type of use.

i. Variance from 3312.51 to permit the required number of loading spaces for any use to be located off of the parcel(s) on which that use is located.

j. Variance from Section 3312.15 to permit maneuvering for loading spaces in South Seventeenth Street, 18th Street and Heyl Avenue.

- k. Variance from Section 3321.05 to eliminate all required clear vision triangles, subject to the approval of the Department of Public Service, Division of Planning and Operations.
- l. Variance from Section 3312.29 to reduce the required minimum size of up to thirty percent (30%) of the required off-street parking spaces from nine (9) feet by eighteen (18) feet to eight (8) feet by sixteen (16) feet.
- m. Variance from Section 3312.13 to reduce the required widths of drive aisles in parking structures to widths less than those provided in Section 3312.13, subject to the approval of the Department of Public Service, Division of Planning and Operations.
- n. Variance from Section 3312.47 and 3312.49 to permit the required number of off-street parking spaces to be the number determined in accordance with IV.E below and to permit the required off-street parking for each use to be located off of the parcel on which that use is located, subject to the provisions of IV.E.4 below.
- o. Variance from Section 3312.13 to reduce the required minimum width of one way driveways serving a parking lot from twenty (20) feet to ten (10) feet.
- p. Variance from Sections 3312.03, 3312.09, 3312.51 and 3321.01 to permit any (i) parking space, (ii) loading space, (iii) aisle providing access to or maneuvering for any parking space, loading space or dumpster and (iv) other access to or maneuvering for any parking space, loading space or dumpster to be located on two or more parcels and to permit access to and maneuvering for each parking space, loading space or dumpster to be located on one or more parcels which are not the parcel(s) on which that parking space, loading space or dumpster is located.
- q. Variance from Section 3312.21 to permit internal parking lot landscaping for each parking lot to be located at the perimeter of that parking lot, except for any parking lot located in Rezoning Area C-12 or C-13 of the Subject Property.
- r. Variance from 3372.611A to eliminate the required main entrance door along the Parsons Avenue frontage for any parking garage.

s. Variance from 3372.611B to eliminate the requirement that any portion of a parking garage building frontage more than twenty (20) feet above grade along Parsons Avenue, the west side of Wager Street and Jackson Street west of Wager Street, except the portion of Wager Street that is within fifty-five (55) feet of Livingston Avenue, be required to include vertical piers or other vertical visual elements otherwise required by that Section, and to eliminate the requirement that any part of a parking garage building frontage along Livingston Avenue or that part of the west side of Wager Street located within fifty-five (55) feet of Livingston Avenue be required to include vertical piers or other vertical visual elements otherwise required by that Section.

t. Variance from Sections 3372.611C and D to eliminate the requirement that any parking garage located west of Wager Street include the windows otherwise required by those Sections.

u. Variance from Section 3371.611I to eliminate the requirement that any parking garage located west of Wager Street include screening otherwise required by that Section, subject to the requirement that any such parking garage must include the screening required by IV.C.7.b.iv above.

D. Development Standards for Subarea D.

1. Density, Height, Lot and/or Setback commitments.

a. The thirty-five (35) foot height district shall apply, subject to the limitation set forth in the next-following sentence. Any portion of any building or structure which is more than thirty-five (35) feet in height pursuant to Section 3309.142, Columbus City Codes, or any successor provision, must be located a distance from the right-of-way line of the Alley (as hereinafter defined) equal to the number of feet (and any fraction thereof) by which the height of that portion exceeds thirty-five (35) feet. "Alley" means the north-south alley between South Eighteenth Street and Carpenter Street.

b. The building setback shall be zero (0) feet along all Streets, except Livingston Avenue along which the building setback shall be ten (10) feet.

c. The parking and maneuvering setback shall be zero (0) feet along all Streets, except Livingston Avenue along which that setback shall be ten (10) feet, provided that parking and maneuvering within parking garages may be located at the building setback.

d. No setbacks from side or rear lot lines shall be required, and buildings and other structures shall be permitted to cross parcel boundaries.

2. Access, Loading, Parking and/or other Traffic related commitments.

a. All existing curb cuts being used for vehicular access to any part of the Subject Property on the date of this Text shall be permitted to remain, except that, promptly after the use of any such curb cut for such access is hereafter abandoned, that curb cut shall be removed. All new curb cuts shall be designed to the specifications of the Department of Public Service, Division of Planning and Operations.

b. The required number of loading spaces for each type of use shall be determined by aggregating all of the uses of that type located on the Subject Property.

c. The required number of loading spaces for any use may be located off of the parcel(s) on which such use is located so long as such loading spaces are located on the Subject Property.

d. Maneuvering for loading spaces shall be permitted in the rights-of-way of Stone Avenue and Newton Avenue.

e. Subject to the approval of the Department of Public Service, Division of Planning and Operations, which may be conditioned on providing alternative means of vision, the clear vision triangles provided for in Section 3321.05, Columbus City Codes, are eliminated.

f. The required minimum size of up to thirty percent (30%) of the required off-street parking spaces shall be eight (8) feet by sixteen (16) feet.

g. Subject to the approval of the Department of Public Service, Division of Planning and Operations, the required widths of drive aisles in parking structures may be reduced to widths less than those provided for in Section 3312.13, Columbus City Codes.

h. The number of off-street parking spaces required for each use referred to in IV.E below will be determined in accordance with IV.E below. The determination of parking spaces available to satisfy off-street parking requirements is subject to the provisions of IV.E below.

i. Subject to the approval of the Department of Public Service, Division of Planning and Operations, the required minimum width of one way driveways shall be ten (10) feet.

j. Any (i) parking space, (ii) loading space, (iii) aisle providing access to or maneuvering for any parking space, loading space or dumpster and (iv) other access to or maneuvering for any parking space, loading space or dumpster may be located on two or more parcels (that is, part on one parcel and part on one or more other parcels) within the Subject Property. Access to and maneuvering for any parking space, loading space or dumpster, including any aisle providing such access or maneuvering, may be located on one or more parcels within the Subject Property which are not the parcel(s) on which that parking space, loading space or dumpster is located. The intent of this item j is to permit all of the parcels constituting the Subject Property be treated as a single parcel for the purpose of arranging parking spaces, loading spaces and access to and maneuvering for parking spaces, loading spaces and dumpsters.

3. Buffering, Landscaping, Open Space and/or Screening commitments.

a. Internal parking lot landscaping for each parking lot may be located at the perimeter of that parking lot. No internal parking lot landscaping shall be required for parking located in or on any parking structure.

b. Each loading space shall be screened to a minimum of seven (7) feet in height, with such screening being so designed as to interrupt vision into such loading space from adjacent Streets and adjacent private properties which are not part of the Subject Property.

4. Building design and/or Interior-Exterior treatment commitments. N/A

5. Dumpsters, Lighting, Outdoor display areas and/or other environmental commitments.

a. Light poles shall be no higher than twenty-two (22) feet.

6. Graphics and Signage commitments.

a. All graphics and signage shall comply with the Graphics Code, Article 15, Title 33 of the Columbus City Code and any variance to those requirements will be submitted to the Columbus Graphics Commission for consideration.

7. Miscellaneous commitments. Except as otherwise provided in this IV.D., development on each parcel in Subarea D shall comply with all applicable provisions of the Columbus City Codes governing that parcel.

8. Variances. The foregoing development standards for Subarea D effect the following variances; provided, however, that the foregoing development standards shall control over the listing of variances below, and the failure to describe below any variances effected by the foregoing development standards shall not invalidate those standards:

a. Variance from Section 3361.04A to reduce the minimum front, side and rear yard requirements from twenty-five feet to zero (0) feet except that the minimum requirements for any front, side or rear yards parallel and adjacent to Livingston Avenue are reduced from twenty-five (25) feet to ten (10) feet.

b. Variance from Section 3312.47 and 3312.49 to permit the calculation of the number of required loading spaces to be based on the total number of square feet of space on the Subject Property used for each type of use.

c. Variance from Section 3312.51 to permit the required number of loading spaces for any use to be located off of the parcel(s) on which that use is located.

d. Variance from Section 3312.15 to permit maneuvering for loading spaces in the rights-of-way of Stone Avenue and Newton Avenue.

e. Variance from Section 3321.05 to eliminate all required clear vision triangles, subject to the approval of the Department of Public Service, Division of Planning and Operations.

f. Variance from Section 3312.29 to reduce the required minimum size of up to thirty percent (30%) of the required off-street parking spaces from nine (9) feet by eighteen (18) feet to eight (8) feet by sixteen (16) feet.

g. Variance from Section 3312.13 to reduce the required widths of drive aisles in parking structures to widths less than those provided in Section 3342.06, subject to the approval of the Department of Public Service, Division of Planning and Operations.

h. Variance from Section 3312.47 and 3312.49 to permit the required number of off-street parking spaces to be the number determined in accordance with IV.E below and to permit the required off-street parking for each use to be located off of the parcel on which that use is located, subject to the provisions of IV.E.4 below.

i. Variance from Section 3312.13 to reduce the required minimum width of one way driveways serving a parking lot from twenty (20) feet to ten (10) feet.

j. Variance from Sections 3312.03, 3312.09, 3312.51 and 3321.01 to permit any (i) parking space, (ii) loading space, (iii) aisle providing access to or maneuvering for any parking space, loading space or dumpster and (iv) other access to or maneuvering for any parking space, loading space or dumpster to be located on two or more parcels and to permit access to and maneuvering for each parking space, loading space or dumpster to be located on one or more parcels which are not parcel(s) on which that parking space, loading space or dumpster is located.

k. Variance from Section 3312.21 to permit internal parking lot landscaping for each parking lot to be located at the perimeter of that parking lot.

E. Parking Requirements.

1. To the extent that the following uses are located on the Subject Property, the following shall be the parking requirements for those uses:

a. Hospital - 2.5 parking spaces per licensed hospital bed for which the hospital is then licensed. For the purpose of this calculation, "hospital" shall include all uses and space typically included in a large, urban, in-patient hospital providing some services to outpatients in facilities regularly utilized for in-patients, including, without limitation, in-patient rooms, hospital pharmacy, clinical laboratory, physical therapy, radiology, in-patient surgery suites, respiratory therapy department, emergency department, G.I. laboratory, MRI unit, CT unit, dialysis unit, water supply, sleeping quarters for interns and residents, records department,

chapel, gift shop, cafeteria, medical reference library, administrative offices, morgue, environmental services department, storage, maintenance shops and fueling station.

b. Outpatient/Day Surgery Clinic - one (1) parking space for each two hundred fifty (250) square feet of gross floor area.

c. Research Facility - one and three-quarters (1.75) parking spaces for each one thousand (1,000) square feet of gross floor area.

d. Meeting/Conference Facility - one (1) parking space for each fifty (50) square feet of gross floor area of meeting room area. Zero (0) parking spaces shall be required for lobby area, corridors, restrooms and other space ancillary to those meeting rooms.

e. Sleeping quarters (including, but not limited to, houses and apartments) which are not part of a hospital (as described in IV.E.1.a above) or part of a facility described in IV.E.1.f below, - one (1) parking space for every three (3) beds provided in such sleeping quarters.

f. Living quarters for use of families of patients - zero (0) parking spaces shall be required.

g. General mechanical rooms and facilities used for the generation of steam, hot water or chilled water or for electrical substation or transformer - zero (0) parking spaces shall be required.

h. Corridors and atria utilized as connections between buildings - zero (0) parking spaces shall be required.

i. Vacated space, regardless of the use for which the same shall have been constructed - zero (0) parking spaces shall be required.

2. For the purpose of determining satisfaction of the off-street parking requirements for the Subject Property, each Qualifying Space (as hereinafter defined) shall be deemed to be located on the Subject Property. Anything in the immediately preceding sentence or IV.E.4 below to the contrary notwithstanding, each Qualifying Space shall be counted toward the off-street parking requirements for only those uses specified by Nationwide Children's Hospital. As used herein: (a) "Qualifying Street" means (i) Mooberry Street between Parsons Avenue and South Eighteenth Street, and (ii) South

Eighteenth Street between Mooberry Street and Livingston Avenue; (b) "Qualifying Areas" means those portions of the curb lanes of Qualifying Streets in which parking is permitted including, without limitation, designated loading zones and metered parking areas; and (c) "Qualifying Space" means each parking space located in Qualifying Area. For the purpose of determining the number of parking spaces in the Qualifying Areas: (A) in each Qualifying Area in which the parking spaces are designated by striping, parking meters or otherwise, the number of parking spaces will be the number of parking spaces so designated; (B) in each Qualifying Area consisting of a designated loading zone in which parking spaces are not designated, the number of parking spaces will be one (1) parking space for each twenty-five (25) feet of length of that loading zone; and (C) in each other Qualifying Area, the number of parking spaces will be one (1) parking space for each twenty-three (23) feet of length of that Qualifying Area.

3. For the purpose of determining the number of parking spaces available on the Subject Property during the construction of any improvement on any portion of the Subject Property, the number of parking spaces located on that portion immediately before the commencement of construction of that improvement shall not be deemed to have been removed from that portion of the Subject Property until completion of that improvement.

4. Subject to the limitation set forth in the next-following sentence, off-street parking spaces required for any use may be located off of the parcel(s) on which that use is located so long as such parking spaces are located on the Subject Property. Parking spaces required for any use may be located on a parcel or parcels not owned by the owner of the parcel(s) on which that use is located only if the owner(s) or lessee(s) of the parcel(s) on which such parking spaces are located consent(s) thereto.

5. Subject to the limitation set forth in the next-following sentence, at any time that Fulton Street Property (defined in IV.E.6 below) includes a provision substantially the same as IV.E.6 below with the Fulton Street Property and the Subject Property reversed, off-street parking spaces required for any use on the Subject Property may be located on the Fulton Street Property.

6. Off-street parking spaces located on the Subject Property shall be used solely for the uses located on the Subject Property and for the uses located on the real property that is, from time to time, subject to Ordinance No. 0986-2007 and any

amendments to or replacements of that Ordinance (the "Fulton Street Property"). As a part of any zoning clearance for development (other than parking) on the Subject Property, the property owner shall establish that both of the following will be satisfied: (a) the number of off-street parking spaces required by this text for all of the uses on the Subject Property and (b) the number of off-street parking spaces required by Ordinance No. 0986-2007, as then amended or replaced, for the Fulton Street Property.

V. ADDITIONAL PROPERTY/AMENDMENTS:

A. Addition of Property. From time to time, one or more properties may be added to any Subarea or Subareas (although each property may be added to only one Subarea), with the effect described below, by rezoning only that additional property, regardless of whether that additional property is contiguous to the Subarea to which it is added and regardless of whether each property included in such a rezoning is contiguous to any other property included in the same application, provided that each rezoning of such additional property complies with the requirements of the next sentence. Any such rezoning must be to the CPD, Commercial Planned Development District, and must include a commercial planned development text (an "Addition Text") which (1) refers to this Text by case number, (2) states the Subarea to which each property so rezoned is added, (3) states that each property so rezoned is subject to the provisions of this Text affecting that Subarea in the same manner and to the same extent as if that property had been part of that Subarea and the Subject Property at the time of this rezoning, and (4) sets forth the permitted uses in and development standards for each Subarea to which property so rezoned is added. Any rezoning of additional property which satisfies the requirements of the preceding sentence shall be effective to make each additional property so rezoned part of the applicable Subarea and the Subject Property for all purposes of this Text, both those affecting that Subarea and those affecting other Subareas.

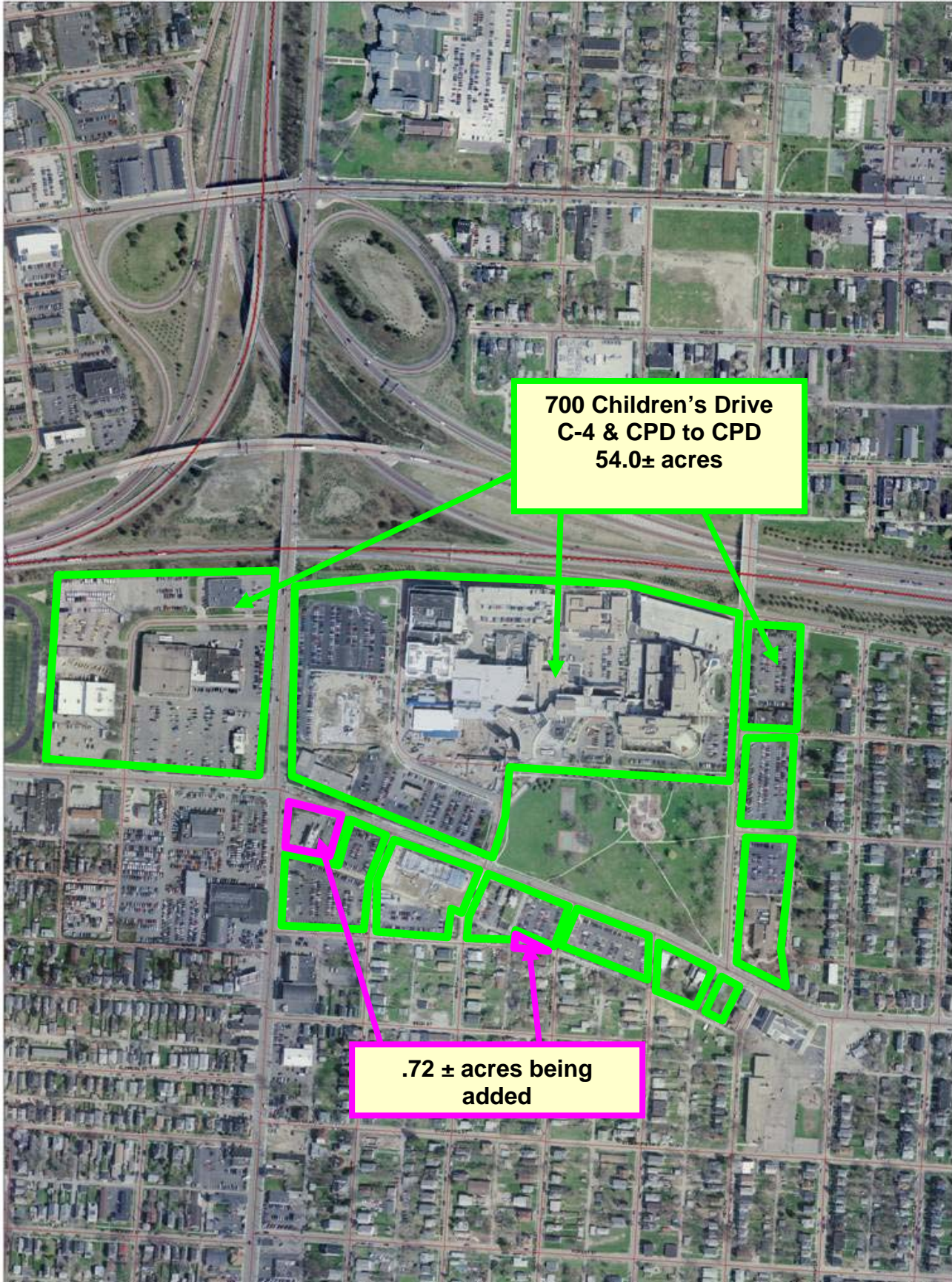
B. Amendment of Subarea Provisions. The provisions of this Text relating to one or more, but not all, of the Subareas may be amended, with the effect described below, by rezoning only that Subarea or those Subareas, provided that that rezoning complies with the requirements of the next sentence. Any such rezoning must be to the CPD, Commercial Planned Development District, and must include a commercial planned development text (an "Amending Text") which (1) refers to this Text, (2) sets forth the permitted uses in and development standards for the

Subarea or Subareas for which such amendments are made, as such permitted uses or development standards are thereby amended, and (3) states that the applicable Subarea(s) remain part of the Subject Property under and for the purposes of this Text, as amended by that Amending Text, and are subject to the provisions of this Text affecting that Subarea, as amended by that Amending Text. Any such rezoning of one or more Subareas shall be effective to make the Subarea(s) so rezoned subject to this Text, as amended by the applicable Amending Text, without removing such Subarea(s) from the Subject Property under and for the purposes of this Text, as amended by that Amending Text, or in any way affecting the other provisions of this Text.

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The undersigned, being the owner of the subject property together with the applicant in the subject application, or their authorized representatives do hereby agree singularly and collectively for themselves, their heirs, successors and assigns, to abide by above restrictions, conditions, and commitments regarding development of the subject property and for such purpose each states that he fully understands and acknowledges that none of the foregoing restrictions, conditions, or commitments shall in any manner act to negate, nullify, alter and modify any more restrictive provision of the Columbus City Codes.

Jill S. Tangeman



700 Children's Drive
C-4 & CPD to CPD
54.0± acres

.72 ± acres being
added